

1888-042 Chancery Causes: Chadwell B. Turner + wife to vs. William Turner, jr. to
Lee Co. Ephraim Turner to vs. C. B. Turner to

Napier, Ely, Crider

2 Plats

CA-Estate Dispute

T-Property

-Deed

To the Honorable John A Kelly Judge of the
Circuit Court of Lee County Va.

Your orators and oratrix Ephraim
Turner and Chadwell B. Turner & Mary J
Turner his his wife, humbly complaining
sheweth to your Honor that herefor to wit
on the 6th day of May 1875 our William
Turner a citizen of said County departed
this life intestate seized and possessed of
a valuable tract of land, situated in said
County some ten miles Northwest of the town
of Jonesville, adjoining the lands of William
M. Pennington, John J. Kelly and others.
For a more particular description of said
reference is made to the deed of C. R. Vance
Assignee in Bankruptcy of Elijah Pennington
to William Turner a copy of which is here
filed as part hereof marked "A". That the
said William Turner left at his death and
surviving him, a widow Mrs Elizabeth Tur-
ner and the following children, to wit,
Mary J. Turner, your oratrix, Ephraim² Turner
one of your orators, James Turner, William⁴
Turner Jr. Susan Turner who intermarried
with George Grider, Elizabeth Turner who
intermarried with Levi Nopier, Minerva⁶
Turner, Emily Turner, Lorina Turner &
Eliza¹⁰ Turner, his heirs at law to whom

said Land descended.

Your Orator Chadwell B. Turner will now show
your Honor That he intermarried with your ora-
trix Mary Turner, and that he and his wife
are entitled, in right of his wife to one tenth
part of said Land. That he has purchased
the undivided interest of James Turner
and the same has been conveyed to him,
as will fully appear by reference to said deed
which is here filed marked "B" as part hereof.
He has also purchased the undivided inter-
est of William Turner in said Land, but
the same has not yet been conveyed to him.
He has also purchased the undivided interest
of Levi Napier and Elizabeth his wife in
said Land but the same has not been conveyed
to him and cannot now be because the said
Elizabeth is under the age of 21 years.

Your Orator Ephraim Turner will now show
your Honor That he is the owner in his own
right of one undivided tenth of said Land
and that he is the owner by purchase of
the undivided interest of the said George
Cridder and Susan his wife, in said Land
which fully appears by reference to said
Cridder & wife's deed here filed marked "C"
as part hereof.

Your Orators and Oratrix will now show

Your Honor that dower, to which she is entitled,
has not yet been assigned to Elizabeth Turner
widow, of the said William Turner
Your orator and oratrix will now show your
Honor that said land is susceptible of par-
tition among those entitled thereto, and
they are advised that they are entitled
and of right may have the several shares
owned by each of them, in his own right
and by purchased laid off in a body or
adjoining each other especially when the
same can be done without injury to the
rights of others, which they aver can be
easily done in this case. Therefore your
Orator Ephraim Turner requests that his
lot owned in his own right, and that fully
and owned by him under his purchase from
George Crider and Susan his wife be laid
off adjoining each other and your Orator
Lehadowell Turner and Mary J. his wife re-
quest that the shares purchased by your
orator from James Turner, from William
Turner and from Levi Napsies and Eliza-
beth his wife, be laid off adjoining the
lot owned by them in right of the said
Mary.

The object of this bill is to have dower
assigned to Elizabeth Turner widow

of the said William Turner deceased and
to have the lands owned by him partitioned
among those who are now entitled to
them, and being without remedy at
law they pray your Honors Court of Chan-
cery to take cognizance, of Their case
and grant them proper relief, To this
end they make William Turner Junr, Levi
Napier and Elizabeth his wife formerly
Elizabeth Turner, Minerva Turner, Emily
Turner Lorina Turner Eliza Turner,
Children and heirs at law, and Elizabeth
Turner widow, of William Turner deceased
the parties defendant to this bill, and
they pray that each of the adult defendants
be required to answer its several allegations
on oath, That a Guardian ad litem be
appointed and required to answer for any
defend The interest of Elizabeth Napier
Minerva Turner Emily Turner Lorina
Turner and Eliza Turner who are in-
fants under the age of 21 years, That
upon a final hearing, down be assign-
ed said widow and said lands be partition-
ed among those entitled thereto accord-
ing to their rights as herein shown, and
That after said partition is duly made such
deeds of conveyance between the parties

be devised and made as will be necessary
to fully perfect the title of each of said
parties and for such further relief either
special or general as is suited to Their cases
and meet and proper for a Court of Equity
to grant. May I please issue &c.

C. T. Sumner Atty, for
the Complainants.

6 to May 1886

8 3.50
4 1.50
G.A.L. 2.00
Co. 1.75
Course 46.65
Estimate 1.50

8 8.17
Course 46.65
883.72

6.138

10.7
8.37
8.37
8.37
8.37
8.37

883.72

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

1885 June Bill Filed

To the Honorable H. S. K. Morrison Judge
of the Circuit Court of Rutland County:

Your orator and oratrix James Ely and
Minervia Ely who are by their guardian
Geo. Ely and Ephraim Turner would
respectfully represent unto your
honor that ^{Wm} Turner, sr. departed this
life on or about the day of 1876
seized and possessed of a valuable tract
of land situate in Lu County on the
waters of the North Fork of Powell's
river near Pennington's Gap; a copy
of the deed to said land is here filed
and marked "C" and prayed to be
considered as a part of this bill of
complaint; that said ^{Wm} left sur-
viving him ten children and a widow,
to wit: your orator Ephraim and
oratrix Minervia who married your
orator James Ely, James³, William⁴ Jr.
Mary⁵ J. who married C. B. Turner,
Susan⁶ who married Geo. Crider,
Elizabeth⁷ who married Levi Napier,
Emily⁸, Lavinia⁹ and Eliza¹⁰, and the
widow Elizabeth Ann; that some
two or three years ago said land was
partitioned by com. of this court,
and a certain portion of the same

which is shown upon a plat-book
filed and marked "B" was assigned
to the said widow; that said
widow's portion or dower was
not partitioned then; that said
widow has since said parti-
tion was made, confirmed, and
the cause stricken from the
docket, died. And your orators
and oratrix would further show
your honor that C.B. Turner
is the owner of the shares by pur-
chase of Elizabeth Napaier, $\frac{1}{4}$ and
James Turner, and in right of Mary
J. his wife one share; that your
orator Ephraim is the owner of two
shares one in his own right by
inheritance from his father and the
other by purchase from George
and Susan Crider; that your orator
James Ely and oratrix Minerva Ely
are infants; that also are infants
Lavina, Ediza and Emily Turner;

The statements above set
out your orators and oratrix aver
and allege to be true; and upon they
are advised they are without num-
erous at law: And they are also ad-
vised that if any two or more co-respondents

so desire the Statutes of this State
allow them to ~~have~~^{their lots} assigned adjoining
each other if the same can be con-
veniently done.

Upon their representations your
orators and oratrix humbly pray your
honor to take cognizance of their
cause, and appoint Commissioners, and
direct them by proper decree to
partition said dower by allotting
to C.B. Turner and Mary J. his wife
4 tenths thereof, to Emily Lavina
and Eliza one tenth each and to your
orator two tenths of the same next to
and adjoining his other lands; and
the share of your oratrix next to
and adjacent to your orators Ephraim
two shares; that C.B. Turner and Mary
J., Emily, Eliza and Lavina be made
parties defts to this bill and required
to answer the truth of its several al-
legations on oath; that a guardian
ad Litem be appointed for the in-
fants Emily, Lavina and Eliza
Turner; and that such other and
further and general relief be granted
them as the nature of their cause
may require. And they will ever
pray &c

E. H. Pummington
P. J.

68.65 Jan 1887
 145 5.00
 4 4.00
 4 15.00
 10 26.00
 10 7.48
 60 4.89
 \$71.02
 10213 06
 \$21.30

E. H. F.

Ephraim Turner et al

Bill in Chan
 or }

Le B. Turner et al

1887, Octo. Bill filed
 Ina 2nd & D. Chris
 1888, Apr. Decree final
 Cause set for hearing

168

6
 4
 2
 4

The joint answers of ~~the~~ Emily
Lavina & Eliza Turner infants
under the age of 21 years by A.
W. Gains their guardian ad litem
assigned to defend them in this suit
to a bill of complaint exhibited
against them and others in the
circuit court for the County of
Cen by Ephraim Turner, and others.

The respondents, answering to their-
selves the benefit of all just ex-
ceptions to the said bill, for answer
therein, or to so much thereof as
they are advised it is material they
should answer, answers and says:-
That they are infants of tender years
and by reason of their infancy is in-
capable of understanding, or of taking
care of their rights and interests. They
therefore by their said guardian, com-
mend themselves, their rights and in-
terests to the protection of the court,
and pray that no decree be pronoun-
ed which will prejudice their rights.
And having fully answered, the said respondents
pray to be hence dismissed with their reasonable
costs in this behalf expended, and they will
ever pray &c.

A. W. Gains guardian
ad litem for said infants

Esplan - Turner et al

vs. } Ans. G. A. L.

La. B. Turner et al

The separate answer of Elizabeth Napier
wife of Levi Napier, Minerva Turner,
Emily Turner, Levina Turner and Eliza
Turner, infants under the age of twenty
one years by E. M. Pennington their
guardian ad litem, assigned to de-
fend them in this suit, to a bill of
complaint exhibited against them
and others, in the circuit court
of the County of Lee by C. B. Turner
& others. The respondents preserving to them
self the benefit of all just exceptions to
the said bill for answer thereto, or to
so much thereof as they are advised
that is material they should answer,
by their said guardian ad litem, answers
and says:—

That they are infants of tender
years, and by reason of their infancy are
incapable of understanding, or of
taking care of their rights and interests.
They therefore by their said guardian,
commend themselves and their rights
and interests to the protection of the
court, and pray that no decree may be
pronounced which will be prejudi-
cial to them.

And having fully answered the

said respondents pray to be hence
dismissed with their reasonable costs
in this suit expended, and we will
even pray ^{the} honor etc

E. H. Pennington

Guardian ad litem for

Elizabeth Rapier & others.

Levin Turner &
ads { Answer of
B. A. L.
L. B. Turner wife & co

Filed Aug. 5. 1885.
J. H. Hyatt c. c.

E. H. Pennington Guardian
ad litem for Eliz-
abeth Rapier &
ads { Answer
L. B. Turner & co

Ephraim Turner et als Compts }
 vs. } In Chan.
 Co. B. Turner et als Defts. }

This cause came on this day to be heard upon the papers formerly read in this cause, the report of commissioners formerly appointed which has been filed for more than ten days before the first day of this term of the court and is un-
 excepted to and was argued by coun-
 sel. On consideration of all of which and for reasons appearing to the court it is ordered, adjudged and decreed that said report be con-
 firmed, and that ^{Co. B. vs.} Mary J. Tur-
 ner take and hold lots Nos. 1 & 2 marked on the plat of said report the first containing 12 acres and bounded as follows to wit: Be-
 ginning at a point at the head of a large spring; N. 61 W 1/4 p to the corner of the spring house, 220 W 8 1/2 p. close to the southwest corner of the stable, S. 86 E. 20 p corner to Liza Turner's lot, thence with the line of same S. 32 E. 53 2/3 p., N 65 E 25 4/3 p to a stake on Ephraim Turner's lot, north nearly 14 E. 66 2/3 p.

with said lot to a stake in the wagon road, along said road S. 65 W. 20 p to a stake near a gate, S. 64 1/2 W 9 p to the Beginning; and the second lot containing 42 acres of mountain land and bounded as follows, to wit: Beginning at a stake at hand in the road thence with said road as it meanders, N. 66 E. 50 p to a corner of Ephraim Turners lot, thence with the line thereof, N. 10 W. 165 p to the top of of the Stone Mountain to a black oak and hickory, S. 57 1/2 W. 9 p., S. 82 1/2 W. 13 p., S. 88 1/2 W. 10 p to a small hickory and chestnut on the top of said mountain, thence S. 3 1/2 E. 179 p to the Beginning.

Second, That Ephraim Turner take and hold lots Nos. 3 & 4 marked on the plat of said report the third, containing 10 acres and bounded as follows, to wit: Beginning at figure 2 of said plat and at a stake in the public road and along the line of lot B. Turners lot described aforesaid, S. nearly 14 E. 87 p to the bank of the river, thence down said river N. 36 E. 7 p., N 48 1/2 E. 10 p. to a sycamore, N 50 1/2 E 11 p., N. 68 3/4 E. p., N. 38 1/2 W 80 p to the Beginning. Six feet of this lot is granted to Emily

Liza and Lavina Turner for a
passway along the line of Co.
B. Turners from figures 8 to 2.
the second lot of mountain land
containing $3\frac{1}{2}$ acres and bound-
ed as follows, to wit: Beginning at
"A" of said plat corner to C. B. Turners
lot of mountain land and with the
line thereof N. 10 W. 165 ft to the top of
the Stone mountain to a black oak
and Hickory, N. $57\frac{1}{2}$ E. 21 ft., N. 35 E. 7
ft. to a chestnut & Locust on the top
of said mountain, S. 14 E. 174 ft.
to a stake in the public road, thence
with said road, S. 66 W. 36 ft to the
Beginning.

3rd. That Liza Turner Take and
hold lots Nos. 5 and 6 marked
of said plat, the fifth lot con-
taining $2\frac{2}{3}$ acres Beginning at
X on said plat S. 3 E. 55 ft to a sym-
on on the bank of the river, thence
down said river N. 67 E. 5 ft, N $61\frac{1}{2}$
E 6 ft. N. 10 W 53 ft to C. B. Turners
line, S. 65 W $5\frac{1}{2}$ ft to the Beginning.
The Sixth lot mountain land
containing $10\frac{3}{5}$ Beginning at
small "a" of said plat, thence N. $15\frac{3}{4}$
W. 179 ft to a gum on the top of the
Stone mountain, S. 88 E. $7\frac{1}{2}$ ft to a

stake, S. 17 E. 174 f to a stake on E. Turners line, thence with his line S. 63 1/2 W. 12 f. to the Beginning.
4th That Lavina Turner take and hold lots 7 & 8 marked on said plat- containing 2 2/3 acres and bounded as follows, to wit:- Beginning at small "h" marked on said plat, S. 10 E. 53 f to the bank of the river, down said river N. 13 E. 17 f, N 21 E. 6 f, N 25 1/2 E 3 1/2 f to corner of of Emily Turners lot, N 13 W. 32 f. to C.B. Turners lot, S. 65 W. 8 1/2 f. to the Beginning.
The Eighth lot mountain land bounded as follows, to wit:- Beginning at small "a" of said plat- corner to Liza Turners lot N. 15 3/4 W. 179 f to a gum on the top of the Stam mountain, S. 70 1/2 W 8 f to a rock and a bunch of chestnuts marked as pointers, S 15 E 179 f to E. Turners line, with his line N. 63 1/2 E. 12 f, to the Beginning;
5th That Emily Turner take and hold lots 9 & 10 marked on said plat, The 9th Bounded as follows to wit:- Beginning

at the point "C" S 13 E. 82 p to the bank of the river, N. 25 1/2 E 4 p. to a stake, N. 36 E. 16 p to E. Turner's corner on the bank of the river, thence with his line N. nearly 14 W. 2 1/2 p to C. B. Turner's corner thence with his line to Beginning: containing 2 2/5 acres, The 10th lot of mountain land containing 10 7/8 acres & bounded as follows, to wit: Beginning at E. Turner's line corner of Lavina's Turner's and with a line thence of N. 15 W. 179 p. to a rock on the top of the Stone mountain, and a bunch of Chestnuts marked as pointers, S. 85 W. 12 p to a Chestnut & Locust corner of Ephraim Turner's lot, S. 14 E. 174 p, N 63 1/2 E. 12 p to the Beginning.

And it is further ordered, adjudged and decreed that the clerk tax up the costs in this cause and that C. B. Turner pay 2/5 of the same, that Ephraim Turner pay 3/10 of the same, that Emily, Liza & Lavina Turner each pay 1/10 of the same, and execution may issue; and the clerk

clerk will also transmit the report of said cases, and this done to the clerk of the county court for recordation in the proper books. And this case is ordered to be stricken from the docket.

Virginia Lee county court clerk's office July 3rd 1888

The foregoing plat and report of the

E. Turnstall

vs. } Sumner

E. B. Turnstall

Entered Chy

O. B. pages 128D

129 + 130

By J. W. G. B.

Enter this

april, 4th 1888.

W. H. M.

Ephraim Turner et al } In Chancery
or
C. B. Turner et al }

This cause came on this day to be heard upon the ~~papers~~ ^{file} of Confell's the answer of H. M. Davis guardian ad litem for Emily, Lavina and Piza Turner, & exhibits therewith filed and was argued by counsel: On consideration of all which, and it appearing to the court that the adult heirs, were duly summoned and they not appearing, it is ordered, adjudged and decreed that John M. Tate, G. H. Russell, John E. Burk and L. M. Gian, who are hereby appointed as couns. for the purpose, do go up on the land in the bill and proceedings mentioned and lay off, allot and assign to C. B. Turner in his own right three tenths and in the right of his wife Mary, J. one ^{of said land,} tenth next to and adjoining his other lands including the old Turner house, if the same can conveniently be done; that they lay off and assign to Ephraim Turner three tenths of said land next to and adjoining his other lands, if the same can conveniently be done; that they further lay off, allot and assign to Emily, Lavina and Piza

Turner each one tenth of said land
next to and adjoining one another
if the same can be conveniently
done; and in such case of assign-
ment and allotment said Courts.
will have due regard to ^{the} quality
of land, so that one part shall be
worth no more than any other one
part. And said Courts. will re-
port their action to a future
term of this court, and this
cause is continuing.

Ephraim Turner et al

vs } Deers

C. B. Turner et al

Entered Pages 91 & 92

C. O. Briggs No. 3

J. J. Loyatt C.C.

Entered this

H. J. K. M.

Dec 8 1887

C. B. Turner et al

25

Wm Turner et al

{ In Chancery

This day this cause came on again to be heard upon the papers formerly read in the cause and the report of Com^{rs} Remington who was appointed to make deeds for the infant heirs named in the bill of said cause, and was argued by counsel. And it appearing to the court that there are no exceptions to the report of said Com^{rs}. It is ordered, adjudged and decreed that Com^{rs} Remington's report be confirmed; and it is further decreed and adjudged and ordered that C. B. Turner, Servis, Equity, Ligon and Thos Turner & Co Turner pay the costs of this suit and the cause is stricken from the docket.

C.B. Turner et al

25 } Decree final

Wm. Turner et al

Entered page 527

Enter
In 24/80
Aug 24/80

C. B. Turner et Pliffs

vs

Wm Turner et als Deft

In Chanc

This day this cause came on again to be heard upon the papers formerly read in the cause and the report of the commissioners who were appointed to assign dower and partition among the heirs the land in the bill mentioned and was argued by counsel And it appearing to the court that there are no exceptions to the report, it is ordered, adjudged and decreed that the commissioners report be confirmed; and it is further decreed and adjudged that mutual conveyances be executed by the parties to each other of the several lots assigned to them respectfully. And it further appearing to the court that Minerva, Liza, Lavina and Emily Turners and Lizabeth Napier are infants; on consideration of which Wm. Pennington is appointed a special Commissioner to execute the necessary deeds

of conveyance for said infants

Virginia, Lee County, to-wit:

In the Clerk's Office of Lee County, on this the 30th day of January, 1907. The foregoing decrees and Commissioners' report and plat were presented, and admitted to record.

H. C. Ewing, Clerk.

W. B. Turner et al
vs. J. R. Gibson et al
Hunt
Turner et al vs

Entered Page 493.

J. R. Gibson et al

cont -

Monday

Mar. 25 1886

3

Recorded in Deed
Book 45, page 279
Examined Jan. 30, 1907.
Endorsed

Entered
in 45/279
Mar. 25/86

Those entitled thereto according to their
several rights. Said Commissioners
will first assign to Elizabeth Turner
widow of William one equal Third in
rental value of said Tract ^{of land} ~~as~~ and for
her dower. They will then lay off and
assign to the Plaintiffs one Tenth of said
Tract of land in right of ~~the female Plaintiff~~ ^{the female Plaintiff} and
they will lay off and assign to the Male
Plaintiff ($\frac{7}{10}$) ~~three~~ ^{three} Tenths of said land
in right of his purchase from Will-
iam Turner James Turner and Levi
Napier and Elizabeth his wife. They
will lay said $\frac{3}{10}$ off adjoining the
Tenth assigned his wife. They will
allot and assign to Ephraim Turner
($\frac{2}{10}$) two Tenths one in his own right and
one in right of his purchase from
George Bricker & wife. They will then
allot and assign to Minerva Turner
Lorina Turner, Religa Turner and
Emily Turner each one Tenth of said
Tract of land. In making said
partition the commission will
partition the ~~the~~ lot assigned
the widow for dower if the same can
be conveniently done. Said
Commissioners will report their
action together with a fair plat
of said partition to a future
Term of this Court and the cause
is continued,

6 Return with coal

25 1/3 Henry

William Linnestad

Entered Page 468

Recorded in Dead
Book 4.5, page 276x
Examined Jan. 30, 1907
Indexed.

Enter this diary

In A. K

Aug 28th 1895.

Virginia

At a circuit Court Continued and held
for Lee County at ~~the~~ August 28th 1885.

C. B. Turner wife & et al

Plaintiffs

vs

William Turner et al

Defendants

In Chancery

It is adjudged ordered and decreed That John P. Graham, George W. Russell ~~and~~ A. D. Zion and John E. Burk who are appointed Commissioners for the purpose do go upon the land in the Bill & proceedings mentioned and partition and allot the same among those entitled thereto according to their several rights, Said Commissioners will first assign to Elizabeth Turner, widow of William Turner decd, one equal third in rental value of said tract of land, as and for her dower, they will then lay off and assign to the Plaintiffs one tenth of said tract of land in right of the female Plaintiff and they will lay off and assign to the male Plaintiff $\frac{3}{10}$ of said land in right of his purchase from William Turner, James Turner and Levi Napier and Elizabeth his wife, they will lay said $\frac{3}{10}$ off adjoining the tenth assigned his wife; They will allot and assign to Ephraim Turner $\frac{2}{10}$ one tenth in his own right and one in right of his purchase from George Brider & wife. They will then allot and assign to Minerva Turner, Lavinia Turner, Eliza Turner, and Emily Turner each one tenth of said tract of land, In making said partition the Commissioners will partition the lot assigned the widow for dower, if the same can be conveniently done, said Commissioners will report.

Ephraim Turner et al,
against,

Deff. }
J. M. Chay.

C. B. Turner et al

Deff. }

It is adjudged, ordered and decreed, that
W. M. Tate, G. W. Russell, J. M. E. Burke & L. M. Zion who
are hereby appointed commissioners for the pur-
pose, do go upon the lands in the bill & proceedings
mentioned, and lay off, allot & assign to C. B.
Turner, in his own right $\frac{3}{10}$ and in the right of his
wife Mary J. one tenth of said land next to and
adjoining his other lands including the old Turner
House, if the same can be conveniently be done,
that they lay off, allot, and assign to Ephraim
Turner, three tenths of said land, next to & adjoining
his other lands, if the same can be conveniently be done
And that they further lay off, allot & assign to
Emily, Lavina and Liza Turner each one tenth
of said land next to & adjoining one & another
if the same can be conveniently done: and in
each case of assignment & allotment said commis.
will have due regard to the quality of land, so
that one part shall be worth no more than an
other part. And said commis. will report their
action to a future term of this court, and the
cause is continued.

Copy-Teste
J. A. G. Lyatt c.c

Ephraim Turner
vs Copy of Decree
L. B. Turner

Executed by
delivering an office
copy of this notice
To John C. Burk
S. M. Zion and
Georg Russell
Jan the 19 1888
R. S. Salanary 98
for S. H. Curing 536

Clerks fee \$1.68
Sheriff 1.50

County, in payment of Taxes and not accepted as

payment, the Taxes not being otherwise paid.

Platt

Treasur

County, in payment of Taxes and not accepte

Names of Parties making tender, and for whose Taxes tendered.

FOR WHAT TAX TENDERED
AND AMOUNT OF TAX.

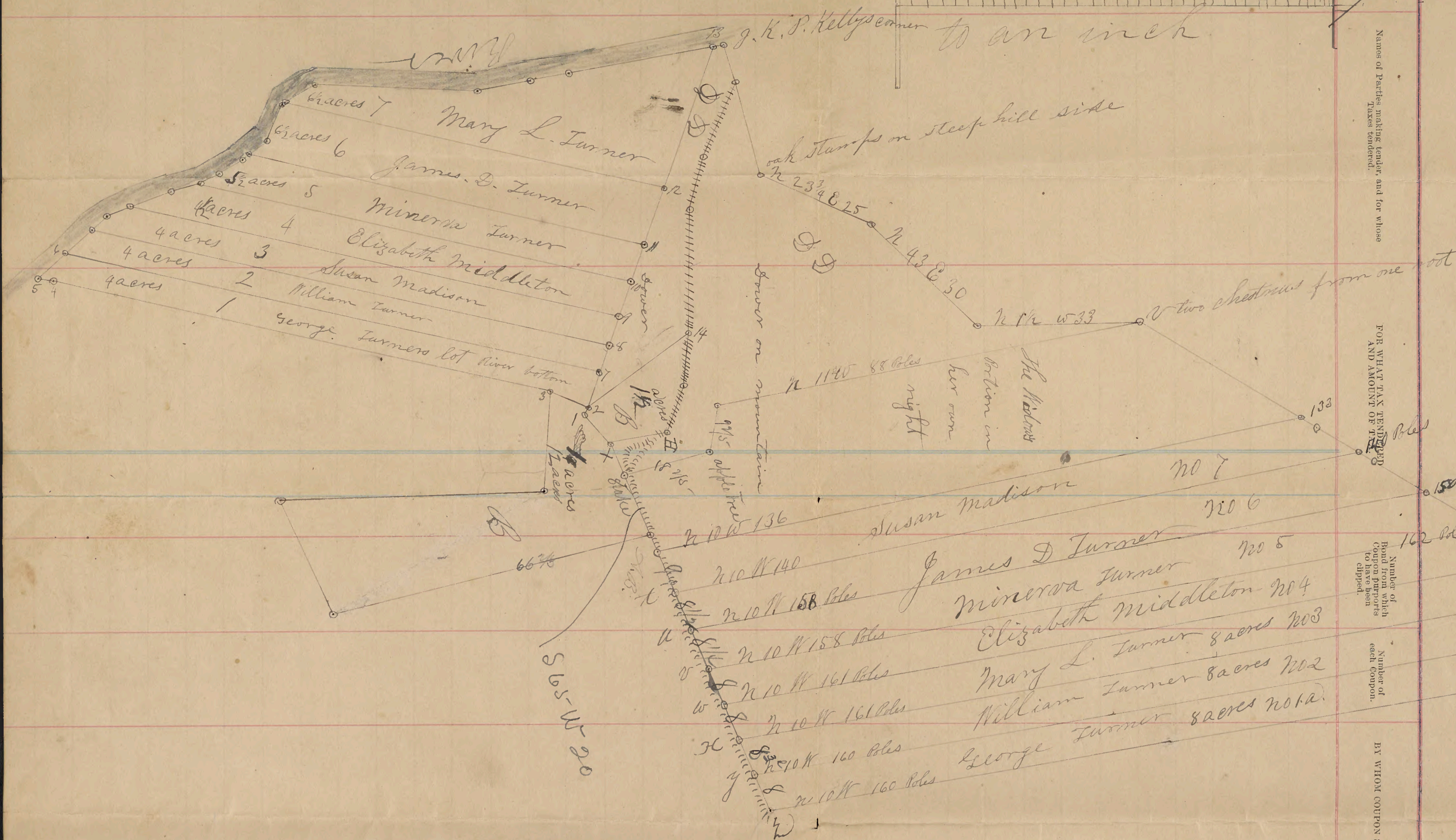
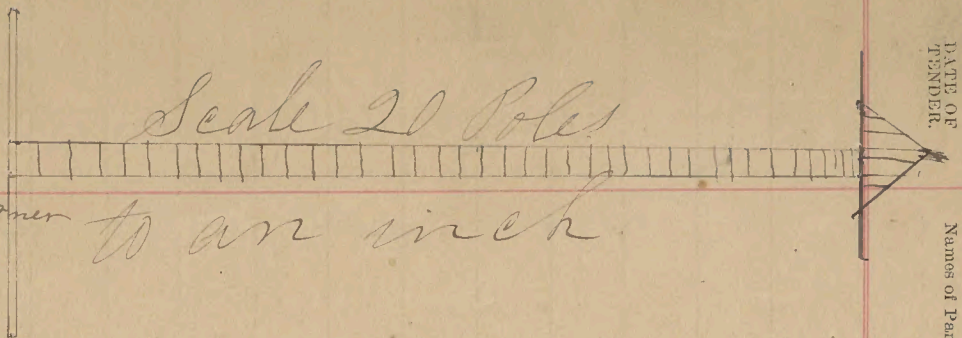
Number of
bond from which
coupon purports
to have been
clipped.

Number of
each coupon.

BY WHOM COUPON SIGNED

Amount of
each Coupon.

Aggregate Amount
of Coupons tendered



$\frac{5794}{9}$

4. 6 7 4
1 6 7 4
2 5 2 7

C.B. Turner et al

vs.

Wm Turner et al

In chancery

Pursuant to a decree entered in the above styled cause at the March term 1886 of the Circuit Court, the undersigned a special Commissioner for the purpose set forth in said decree hereunto to report that he has made and had properly acknowledged the deeds to said land in Commissioner's reports described for the infants named in the bill of said cause.

Respt Submitted

E.W. Huntington

Spec. Comm^r

Aug 2nd 1886

E. B. Turner et al

vs { Report of
Court Punishment

Wm Turner et al

Filed Aug. 5-1886
J. A. Dyatt cc

1885-

G. B. Turner et al

To the clerk of Lee county court Dr.

July

18 Copy of Elijah Pennington's bankrupt deed \$1.25

Copy of deed G. Turner from G. Eviden

John R. Gibson clerk. $\frac{50}{\$1.75}$

603 Gardner

1868

Paid by R. D. Flanagan Feb, 24
1868,

Pursuant to an order of The Circuit Court of Lee County Va. at its November Term. We the undersigned went upon the lands in the Order mentioned in the above styled Suit and partitioned the same as follows.

First Tract containing Thirty Acres lying in the Bottom and shown on the plat as Lot No. 1. Lot No. 3. Lot No. 5. Lot No. 7. Lot No. 9. Scale 80 poles to the inch. The boundary lines of which reference is hereby made to the Survey bearings made by former Commissioners.

Second Tract containing One hundred ^{and} six acres Mountain Land and shown on the plat as Lot No. 2. Lot No. 4. Lot No. 6 ^{and} Lot No. 8. and Lot No. 10. The boundary lines reference is hereby made to the Survey bearings made by former Commissioners. All of which proved to be right. By Plat.

Lot No. 1. We assign to C. B. Turner and Wife Mary J. and shown on the plat tinged red and marked to C. B. Turner. Containing twelve acres and bounded as follows to wit: Beginning at hand. The head of a large Spring thence N. 61.° W. 1 1/4 poles to the corner of the Spring-house S. 20.° W. 8 1/2 poles to a stake near the South West

corner of the Stable S. 86° E. 20 poles to a Stake corner of
Liza Turners lot. Thence along the line of the same
S. 3° E. $53\frac{1}{2}$ poles to a Stake. N. 65° E. $25\frac{1}{2}$ poles to a
Stake on Ephraim Turners lot. North nearly 14° E. $66\frac{1}{2}$
poles with said lot. to a Stake in the wagon road
Thence along said road S. 65° W. 20 poles to a Stake
opposite a gate near the bend of the road. S. $67\frac{1}{2}^{\circ}$ W.
9 poles to the Beginning. At the instance of
C. B. Turner a right-of-way is granted through
this lot 12 feet wide passing through the large
gate-way that is now the entrance to the old
Turner-house, Thence passing South 12 feet of
the crib, a large beech near the spring i.e. the
South line of the road is to be 12 feet from
the crib 12 feet from the beech and to enter
the lots of Emily, Lavina & Liza Turners lots
at the west-end of the Stable being the first
lots that was consigned to them by the first
Commissioners This passway is only for the benefit
of the owners of said lots or their assigns &c.
There is also granted six feet of land of this
lot on the line between Ephraim Turner, and
C. B. Turner to their first corner running South.
Thence along the line of Emily, Lavina & Liza
Turners lots running west to the west line of this
lot, for a road to be used by all the owners of
said lots for this purpose only.

Also one other lot to C. B. Turner Marked

on the plat No. 2. Marked to C. B. Turner
and tinged red, and contains forty two
acres. Mountain land. Bounded as follows
to wit- Beginning at hand, a stake in the
road, thence with the road as it meanders
through on a horizontal line N. 66° E. 50 poles
to a stake corner of Ephraim Turners lot. Thence
with a line there of N. 10° W. 165 poles to the top of
the Mountain to a black oak ^{and} hickory S. 57½° W.
9 poles. S. 82½° W. 13 poles. S. 88½° W. 10 poles to a small
hickory and chestnut on top of the mountain thence
leaving the top of said Mountain S. 3½° E. 179 poles
to the Beginning. Lot's No. 1. & No. 2. we assign
to C. B. Turner in his own right 3/10 and in
the right of Mary J. his wife. 7/10 Making 4/10 of
the whole estate to said C. B. Turner & wife.
Lot- No. 1. is adjoining his other lands and
including the old Turner houses which we could
do without being prejudicial to the others. Lot No. 2.
is adjoining his other Mountain lands all of
which is not prejudicial to the interest of the others.
Lot- No. 3. We assign to Ephraim Turner and shown on
the plat tinged Blue and Marked to Ephraim
Turner containing ten acres and bounded as
follows to wit. Beginning at 2 Thence along a
line of C. B. Turners lot, and from a stake corner
of C. B. Turners at the road on S. nearly 14° E. 89
poles to the bank of the river Thence down said river
N. 36° E. 7 poles. N. 48½° E. 10 poles to a sycamore

N. $50\frac{1}{2}^{\circ}$ E. 10 poles, N. $68\frac{3}{4}^{\circ}$ ^E 10 poles, N. $38\frac{1}{2}^{\circ}$ W. 80 poles
to the Beginning six feet of this lot is granted
to Emily Savina, ^{Wife} Liza Turner, for a road along
the line of C. B. Turner's lot running from 8 to 2
as shown on the plat. Also one other lot

Lot No. 4. Containing thirty one and $\frac{1}{2}$ acres. Shown on the
plat tinged blue and marked to said Turner
bounded as follows to wit- Beginning at A. corner
of C. B. Turner's lot, Mountain land. Thence with a
line thereof N. 10° W. 165 poles to the top of the Mt;
to a black oak & hickory N. $87\frac{1}{2}^{\circ}$ E. 21 poles, N. 35° E. 7
poles to a chestnut & Locust on top of said Mt; Thence
leaving the top of said Mt; S. 14° E. 174 poles to a stake
at the road. Thence with the said road S. 66° W. 36
poles to the Beginning. Both these lots No. 3 & No. 4
are adjoining the other lands of said Turner, and
is $\frac{3}{10}$ of the whole Estate.

Lot No. 5. We convey to Liza Turner and shown on the
plat tinged rather variegated and adjoining her other
lands marked in her name containing $2\frac{2}{3}$ acres
Beginning the boundary at A. Thence as shown on the
plat also corner of C. B. Turner's lot S. 3° E. 35 poles to a
Sycamore on the bank of the river. Thence down said
river N. 67° E. 5 poles, N. $61\frac{1}{2}^{\circ}$ E. 6 poles to a stake at the
bank of the river, N. 10° W. 53 poles to a stake on C. B. Tur-
ner's line S. 65° W. $5\frac{1}{2}$ poles to the Beginning.

Lot No. 6. We also convey to Liza Turner Mountain land

and shown on the plat same here, containing
10⁹/₁₀ acres and adjoining her other Mountain lands
bounded as follows Beginning at Small a. corner of
Lavina Turners lot N. 8, Thence N. 15³/₄° W, 179 poles to a
gum on top of Mt. S. 85° E 7¹/₂ poles to a stake Thence leaving
The top of said Mt. S. 17° E, 174 poles to a stake on E.
Turners line Thence with his line S. 63¹/₂° W, 12 poles
to The Beginning.

Lot No. 7. We consign to Lavina Turner containing
2⁷/₈ acres. Shown on the plat marked to
Lavina Turner, and tinged blue bounded as
follows Beginning at a stake in the bottom
corner of Lizz Turners lot at small b. S. 10° E,
33 poles to a stake at the bend of the river Thence
down said river N. 13° E 17 poles. N. 21° E, 6 poles N. 25¹/₂°
E 3¹/₂ poles to a stake corner of Emily Turners lot and
with a line Thence of N. 13° W, 32 poles to a stake on
C. B. Turners lot. S. 65° W, 8¹/₂ poles to The Beginning.

Lot No. 8. Also to Lavina Turner Mountain land shown on
the plat same here, marked to Lavina Turner and
bounded as follows Beginning at Small c. corner
of Lizz Turners lot. N. 15³/₄° W, 179 poles to a gum on
top of Mt. S. 70¹/₂° W, 8 poles to a rock a bunch of chestnuts
marked as pointers Thence leaving top of Mt. S. 15° E, 179
poles to a stake on E. Turners line Thence with his
line N. 63¹/₂° E, 12 poles to The Beginning. Lot No. 7 & 8. We
could not join them to the other lands of the said
Lavina Turner.

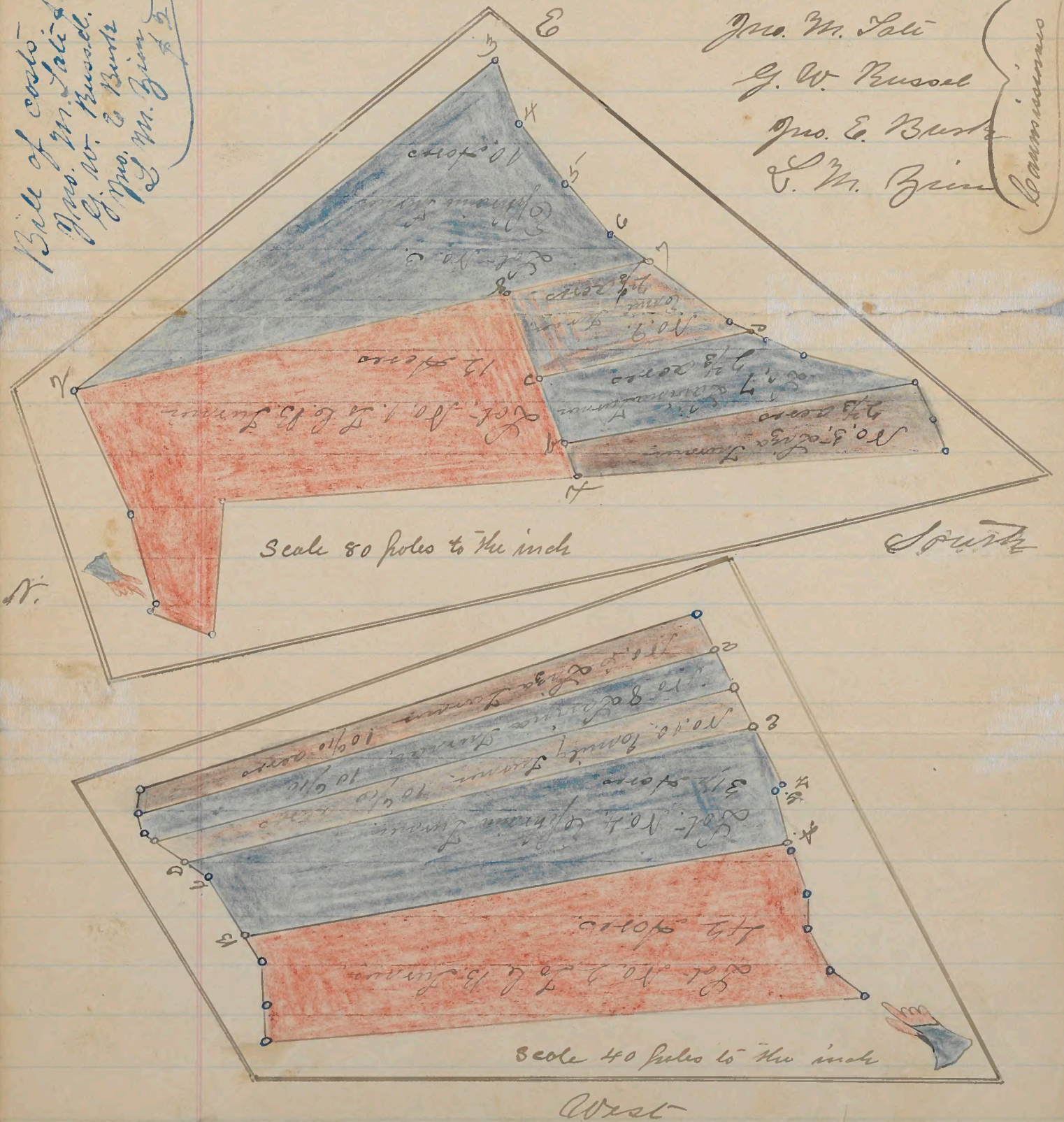
Lot No. 9. We consign to Emily Turner containing 2⁷/₈ acres

and shown on the plat, tinged rather variegated
and marked to Emily Turner, containing $2\frac{2}{3}$
acres, bounded as follows Beginning at a
stake in the Bottom on C. B. Turners line
corner of Lavina Turners lot at c. S. 13° E. 32
poles to the bank of the river N. $25\frac{1}{2}^{\circ}$ E. 4 poles to
a stake N. 36° E. 16 poles to Ephraim Turners
corner on the bank of the river. Thence with his
line N. nearly 14° W. $21\frac{1}{2}$ poles to a stake C. B.
Turners corner Thence with his line to the Beg.
Lot No. 10, Also to Emily Turner Mountain land
containing $10\frac{9}{10}$ acres and shown on the
plat marked to Emily Turner and same
line, bounded as follows Beginning at a stake
on E. Turners line corner of Lavina Turners and
with a line thence N. 15° W. 179 poles to a rock
on top of the: a bunch of chestnuts marked as
squirrels S. 35° W. 12 poles to a chestnut & Locust corner
of Ephraim Turners lot. Thence with a line of his
S. 14° E. 174 poles to a stake Thence N. $63\frac{1}{2}^{\circ}$ E. 12 poles
to the Beginning. Lots No. 8, 10, 7, & 9, consigned
respectively to Lavina & Emily Turner it was im-
possible to make them join the other lands of the
said parties. There is also granted to the said
Emily, Lavina, & Lige Turner 6 feet of land of the
lots No. 5, 7, & 9, on the line of C. B. Turners as shown
on the plat from 4 to 8 for a road or passway
to their other lands, running to Ephraim Turners

lot. Lots. No. 5, 6, 7, 8, 9, & 10. consigned respectively to
 Liza, Lavina and Emily Turner each of them has $\frac{1}{10}$ of
 the whole estate. and now we have complied
 with the order to the best of our powers
 This report & plat is respectfully submitted
 Feb. the 10th 1888.

Bills of costs
 Geo. M. Lati \$10.00
 G. W. Russel 6.00
 Geo. E. Burke 4.00
 L. M. Zim 6.00
 \$26.00

Geo. M. Lati
 G. W. Russel
 Geo. E. Burke
 L. M. Zim } Commissioners



Ephraim Turner et al
vs. J. A. Chanary

C. B. Turner et al
Commissioner Report.

Filed March 6th 1888

J. A. Hyatt et al

Recorded in Deed
Book No 23 Pages
303 to 308
J. R. Gibson et al

Cours fee 26.⁰⁰

Virginia Deed County Court Clerk's Office July 3rd 1888
The foregoing report was read of the
partition of the land of the Turner et al
was this day filed in this office and
admitted to record,
John P. Gibson Clerk

To the honorable John A. Kelly Judge of the circuit court of Lee county Virginia we the undersigned George W. Russell Abraham S. Zion John E. Bark and John P. Graham, Pursuant to your order made August 28th 1885, and to us directed, went upon the lands of which William Turner died seized, and made a survey, partition, and assignment - and now by leave to report we began our survey on October the 26th 1885 and proceeded following days,

We first surveyed the home part of the farm or river bottom as it is more valuable than the northern or mountain part. The mountain side has but little value except for timber and an outlet for stock the public road divides the two sections beginning at a thence to B. Y. X along the line with cross marks to 28 in the edge of the river. We assign to the widow Betsy Ann Turner as part of her dower lot no 1 marked A and can be seen on diagram beginning at a stake in the head of the spring dividing the same (see index) thence N 61° W 1 1/4 Poles to stake at corner of spring house S 20° W 8 1/2 Poles to b near the south west corner of the stable thence S 86° E 20 poles to stake at s then S 4° E 108 Poles to a Mahoe bush on an island or sand bar in the river at 4 N 67 1/2° E 5 Poles to a Sycamore N 61 1/2° E 6 Poles to stake at bend in river N 13° E 17 Poles to stake N 21° E 6 Poles to stake N 25 1/2° E 6 Poles to stake N 36° E 22 Poles to stake N 48 1/2° E 10 Poles to a Sycamore N 50 1/2° E 11 Poles to stake N 68 3/4° E 10 Poles to stake at 13 N 38 1/2° W 80 Poles to stake in road at y S 65° W 20 poles to a stake

opposite the widow Turners gate at \approx S $67\frac{1}{2}$ W 9 Poles to the beginning the foregoing lot has on it dwelling houses stables crib spring house smoke house garden and as much Orchard as the said widow elected to take to her part We also assign another lot to said widow for timber on the north of said road see no 2 marked B we began at stake in road corner to Chadwell Turners land at \approx thence N $3\frac{1}{2}$ W 179 Poles to a small Hickory and chestnut on top of the Cumberland or Stone mountain near an old deer stand N $88\frac{1}{2}$ E 10 Poles N $82\frac{1}{2}$ E 13 Poles N $57\frac{1}{2}$ E 30 Poles N 35 E 23 Poles N $70\frac{1}{2}$ E 6 Poles to a Gum S 85 E 7 Poles then leaving the top of said mountain S 17 E 174 Poles to a stake in a line of Ephraim Turners land S $63\frac{1}{2}$ W ^{54 $\frac{1}{2}$} ~~47 $\frac{1}{2}$~~ Poles to a stake in head of road N $38\frac{1}{2}$ W 2 Poles to stake at 19 S $75\frac{1}{2}$ W 18 Poles to 18 S $67\frac{1}{2}$ W 14 Poles to 17 due west 10 Poles to 16 S $60\frac{1}{4}$ W 14 Poles to 15 S 65 W 12 Poles to the Beginning at \approx

≡ We next lay off and assign lots No 3 marked D No 4 marked S and No 5 marked E to Chadwell Turner and Mary J. Turner his wife as ~~to~~ ^{of said land} in right of Mary J. Turner and $\frac{3}{10}$ to Chadwell B. Turner in right of his purchase we began at a stake in the head of the spring dividing the same see index N 61 W $1\frac{1}{4}$ Poles to stake at a S 20 W $8\frac{1}{2}$ Poles to stake near corner of stable at b. then S 12 W 103 Poles to a double cedar at bank of the river then on same degree 3 Poles to stake in edge of the river N 41 W 19 Poles to f N $20\frac{1}{2}$ W 14 Poles to g N 16 W 6 Poles to h N $28\frac{1}{2}$ W 4 P N 27 W 6 P N 36 W 6 P to k

N $68\frac{1}{2}$ W 8 P to L N $30\frac{1}{2}$ W 8 P to m N 2 E 33 Poles to
 n N $10\frac{1}{2}$ W 11 Poles to a poplar at O N 9 W 8 P to a Sycamore
 at p N 10 W 32 Poles to a stake on J. K. P. Kellys line
 on the bank of the river then leaving the river and
 with said Kellys lines N $74\frac{1}{4}$ E $27\frac{1}{2}$ Poles to two black
 Oak stumps on a steep hill side N $23\frac{3}{4}$ E 25 Poles to a
 Rock N 43 E 30 Poles to a rock near two large white
 Oak stumps at u N $1\frac{1}{2}$ W 33 Poles to two chestnuts from
 one root at v N 30 E $87\frac{1}{2}$ Poles to a hickory and chestnut
 on top of the stone mountain near an old deer stand
 corner to the widows Dower and with a line of same S
 $3\frac{1}{2}$ E 179 Poles to a stake near the ~~widow~~ ^{widow} ~~Jarners~~ ^{Jarners} gate in
 the road S 65 W 32 Poles to a stake near the widow Jarners
 gate S $67\frac{1}{2}$ W 9 Poles to the beginning, the other lot is
 marked no 5. E. and is the eastern lot on the mountain
 side contains 55 Acres we began at x and maple
 stump on the bank of poor valley branch the south east
 corner to this tract thence S 53 W 13 Poles to a stake
 on bank of poor valley branch S 62 W 6 Poles to stake
 and white Oak at said branch N 86 W 11 Poles to a stake
 S 69 W 10 Poles to stake S $82\frac{1}{2}$ W $9\frac{3}{4}$ Poles to a small
 double beech on north bank of said branch S 75 W 17
 Poles to a stake S $59\frac{1}{2}$ W 4 Poles to a stake in the south bank
 of the poor valley branch then N 20 W 146 Poles to a
 stake on top of the stone mountain S 89 E 5 Poles S
 86 E 11 Poles N $68\frac{1}{2}$ E $23\frac{1}{2}$ Poles S 86 E 6 Poles N 60 E $17\frac{1}{2}$ Poles
 to three chestnuts two standing and one fallen the north
 east corner to this tract then leaving the top of said

mountain and with a line of John Z. Elys land S 30 $\frac{1}{2}$ E
30 Poles to a stake in the head of hollow where a wet-
weather spring breaks out then S 13 $\frac{1}{2}$ E 66 $\frac{1}{2}$ Poles to a stake
in said hollow S 30 W 5 Poles to a stake S 39 E 8 Poles
to stake S 50 $\frac{1}{2}$ E 10 Poles to stake S 33 E 14 Poles to
stake S 50 $\frac{1}{2}$ E 6 Poles to stake S 36 E 8 Poles to a fallen
beech and large water oak stump near the edge of
a small branch in poor valley S 33 $\frac{1}{2}$ E 2 $\frac{1}{4}$ Poles to
the beginning

≡ We next assign to Ephraim Turner in right of his
own interest and in right of one ~~one~~ interest purchased
by him of George Bridger lots No 5 marked E No 6 ~~marked~~
marked F and No 7 marked G we began at a stake in
edge of the river at 40 thence N 37 W 71 Poles to a stake
in the road at 14 thence along and with the road N 65 E
8 Poles to 15 N 60 $\frac{1}{4}$ E 14 to 16 due E 10 Poles to 17 N 67 $\frac{1}{2}$ E
14 Poles to 18 N 75 $\frac{1}{2}$ E 18 Poles to 19 S 74 E 2 Poles to 20 thence
N 63 $\frac{1}{2}$ E 68 $\frac{1}{2}$ Poles to a stake near a small wet weather branch
at 30 S 24 E 22 Poles to a stake in a branch in the outside
line at 29 S 28 $\frac{1}{2}$ W 5 $\frac{3}{4}$ Poles S 89 W 12 Poles to a stake opposite
C. Turners house S 29 W 4 Poles to a stake in the river where
the poor valley branch used to empty into said river N 70 $\frac{1}{2}$ W
12 Poles N 85 $\frac{1}{2}$ W 8 Poles S 86 W 12 Poles S 70 W 6 Poles ^{to 28} S 68 $\frac{1}{2}$ W
8 Poles S 70 $\frac{1}{2}$ W 12 Poles S 39 W 5 Poles S 8 $\frac{1}{2}$ W 19 Poles S 6 $\frac{1}{2}$ W
6 Poles S 17 W 10 Poles S 31 $\frac{1}{2}$ W 20 Poles to 40 our beginning
calls of the other lot we began at the south east corner at a
~~maple stump marked~~ ~~thence~~ S 53 W 13 Poles to stake on south
of poor valley branch S 62 W 5 Poles to

corner of lot no 7 marked G a corner to C. B. Turners lot and with poor valley branch S $59\frac{1}{2}$ W 4 Poles N $84\frac{1}{2}$ W $4\frac{1}{2}$ Poles to a sourwood and black Oak on north bank of said branch S 62 W (passing a stake and cucumber corner at 16 poles) 27 Poles to a stake S 48 W $5\frac{1}{4}$ Poles to a sourwood and ironwood latter gone S 61 W 3 Poles to a stake then leaving poor valley branch N 17 W 170 Poles to a stake on top of the stone mountain S $77\frac{1}{2}$ E 2 Poles S 80 E 14 Poles S $86\frac{1}{4}$ E 13 Poles to a small chestnut on the edge of a rock S 89 E 8 Poles to a stake corner to C. B. Turners lot and with his line to the beginning S 20 E 146 Poles

We next assign to Minerva Turner lot no 8 marked H containing 7 Acres beginning at 40 at stake in the edge of the river a corner to Ephraim Turners land thence up the river S $6\frac{1}{2}$ W 6 Poles S 17 W 10 Poles to stake south East corner to Dower and with line of same N $38\frac{1}{2}$ W 80 Poles to stake in road at y. N 65 E 16 Poles to stake at 14 corner to E. Turners land thence S 37 E 71 Poles to the ^{For the other lot we began} beginning at a stake the south west corner to Ephraim Turners lot no 7 marked G S 61 W 6 Poles to beech gone S 61 W 16 poles to stake S $47\frac{1}{2}$ W 4 Poles to stake then leaving poor valley N 17 W 178 Poles to a stake on top of the stone mountain N 60 E 13 Poles to a stake on a high rock S $77\frac{1}{2}$ E 12 Poles to stake corner to E. Turner lot and with line of the same S 17 E 170 Poles to the beginning

Page 6th
"

1932
1986
48

16 1/2
11 1/2
16
16 1/2
1986
48

176 1/2
84
1849

We next assign lots no 11 K 8 Acres and no 10 J 27 acres to Emily^{Turner} calls of no 11 K beginning at stake near corner of stable corner to Dower also to C. B. Turners land at b thence S 86° E 8 Poles to 1 then S 7° W 102^{Poles} to stake at the river N 89° W 6 Poles N 55° E 10 Poles to stake corner to C. B. Turners land and with his line N 12° E 3 Poles to a double cedar then on same degree 103 Poles to the Beginning this lot contains 8 acres

The other lot no 10 J contains 27 Acres and bounded as follows Beginning at a stake south west corner to Minervas lot at 50 S 47 1/2° W 11 1/2 Poles to a large poplar on the north bank of said branch S 17 1/2° W 15 Poles to a gum S 63 1/2° W 4 Poles to a stake on the north bank of poor valley branch then leaving said branch N 16 1/2° W 176 Poles to stake on top of the stone mountain N 63 1/2° E 8 Poles to a stake on top of said mountain N 72° E 9 Poles to stake N 60° E 6 poles to stake corner to Minervas lot and with her line S 17° E 178 Poles to the beginning

We next assign lots no 12 marked L and no 13 marked M to Lavina Turner lot no 13 bounded as follows to wit beginning at 1 near the index then S 86° E 8 Poles to stake at 2 then S 4° W 106 Poles to stake at the river thence up the river 14 Poles to stake corner to Emily's lot and with line of the same N 7° E 4 Poles to a white walnut then on same degree 99 Poles to the Beginning

106 1/2
106 1/2

For Lavina lot no 12 marked L bounded as follows
 to wit Beginning at stake corner to Emily's lot no 10 of
 thence S $63\frac{1}{2}$ W 8 Poles to a sycamore and white Oak stump
 on a steep bank S $6\frac{1}{2}$ W 6 Poles to beech stump
 gone S 30 W 17 Poles to Dogwood and stake gone thence
 N 17 W 173 Poles to stake on top of the mountain
 N 51 E 2 Poles to a chestnut Oak N $25\frac{1}{4}$ E 5 Poles N 49 E 18
 Poles to a stake corner to Emily's lot and with her
 line S $16\frac{1}{2}$ E 196 Poles to the beginning

We next assign lot no 15 marked O and no 14
 marked W to Eliza Turner beginning with
 the calls of lot no 15 marked O at 2 near the
 index thence S 86 E 4 Poles to 3 corner to Dower and with
 line of same S 4 E 108 Poles to Mahoo bush on an island
 or sand bar in the river at 4 thence up the river 19
 Poles to stake corner to lot no 13 and with line of same
 N 4 E 106 Poles to the beginning
 we began the calls of lot no 14 for Eliza at 30 a stake
 near a small branch corner to Ephraim Turners lot
 at ³⁰ ~~20~~ ran S $63\frac{1}{2}$ W 14 Poles to a stake at 21 corner
 the Dower then with line of said Dower N 17 W
 173 Poles to a stake on top of the mountain at 22
 thence eastward along the top of said mountain N $72\frac{1}{2}$ E
 13 Poles N 53 E 8 Poles N $72\frac{1}{2}$ E 4 Poles N $48\frac{1}{2}$ E 8 Poles to a
 stake corner to lot no 12 and with line of same
 S 17 E 173 Poles ~~S 30 W 2 Poles to Dogwood and stake gone~~
~~S 2 E $25\frac{1}{4}$ Poles to Lynn Stamp~~

to a stake in the south line in poor valley branch
thence southwardly with said outside line to a stake
corner to Ephraim Turners land N 24 W poles to the
beginning

Now it is expressly understood that the owners of the
lots east of the widows Dower on the mountain side
shall have right of a haul way for wagon along the poor
valley as near the old haul way as may be best for con-
venience to those interested those owning said lot or lots
may build fences across said haul way provided such
owner shall erect a convenient gate or gates and keep
them in good repair said haul way shall be directed
so as to strike Ephraim Turners land near 30 and from
30 to 20 along said E. Turners line till said haul way
opens into the Public road — All respectfully

Submitted this 20th day of March 1886

John T. Graham (seal)

John E. Burk (seal)

George W. Russell (seal)

Abraham D. Nelson (seal)

Recorded in Deed

Book 45 page 299

Examined Jan. 30, 1909

Indexed

Fee bill to J. P. Graham as survey and
 commissioner for measuring 3530 Poles at 1ct for
 the first 100 and 1/2 ct for the remainder \$ 18.15
 for 11 calculations at 50 cts per calculation \$ 5.50
 one Report \$.50
 one Platt 50
\$ 24.65

John E. Burke for 7 days as commissioner \$ 7.00
 Abraham D. Zion for 7 1/2 days as commissioner \$ 7.50
 George W. Russell for 7 1/2 days as commissioner \$ 7.50
\$ 46.65

C. B. Turner & wife
vs. } Comrs Report
} of Partitions
Jm. Turner et al.

Filed March 22nd 1886
J. C. & S. Hyatt & Co
Recorded in Deed
Book 45, page 227
Examined Jan. 30, 1907
Indexed

Comrs. fee \$46.65-

Commissioners
Report in the
Estate of Mrs. Turner
deceased March 20th

1886

Filed March

22-1886.

J. C. & S. Hyatt & Co

In the District of Virginia, In the matter of Elijah Pennington Bankrupt, In Bankruptcy whereas Charles R. Vance the undersigned was heretofore regularly appointed Assignee of Elijah Pennington Bankrupt, in the matter of Elijah Pennington Bankrupt aforesaid, and whereas in performance of said appointment H. B. Gibson one of the Registers in Bankruptcy in said district, did heretofore to wit: On the 23rd day of February 1869. execute a deed of assignment by which he conveyed and assigned to the undersigned Charles R. Vance as Assignee. of the estate of Elijah Pennington Bankrupt aforesaid pursuant to the 14 Sec of an Act of Congress entitled and act to establish a uniform system of Bankruptcy throughout the United States, Approved March 3^d 1867. all the estate real and personal of the said Elijah Pennington Bankrupt. aforesaid including all the property of whatever kind of which he was possessed or in which he was interested or entitled to have on the 31st day of December A.D. 1868. with all his deeds papers and books relating thereto excepting such property as was exempted from the operation of said assignment by the provisions of said 14 Section of said act, and whereas also in the schedule of the effects of said Bankrupt there was mentioned

one tract of land said to contain about four hundred and fifty or five hundred acres which said tract of land is mentioned and described as follows in said schedule to wit: About 450 or 500 acres of Land on the waters of the North Fork of Powell's River 8 miles north east of Jonesville Lee County Va. tolerably well improved and about 150 acres in cultivation, which said tract of land became vested in the undersigned as assignee of Elijah Pennington Bankrupt aforesaid by virtue of said assignment, and whereas also by virtue of an order of the District court of the United States for the District of Virginia issued to the undersigned by said H. C. Gibson Register &c aforesaid in the matter of Elijah Pennington Bankrupt aforesaid on the 3rd day of February 1870 the undersigned as Assignee of said Bankrupt after giving the notice required by law, did expose the tract of land above mentioned and described at public sale in the town of Jonesville Lee County Virginia, in front of the Court House door on the 18th day of April 1870, on the following terms to wit: one third cash in hand, one third in twelve months from date, with interest, and whereas also one A. R. Sanger being the highest and best bidder at said sale, the said tract of land above mentioned and described was knocked off to him at the

price of thirty four hundred and twenty seven dollars and fifty cents, and whereas also immediately after said land knocked off to the said A. R. Sargener as aforesaid and before said Sargener as aforesaid, and before the said Sargener had paid the undersigned any monies or executed any note in pursuance of said sale the said A. R. Sargener filed with the undersigned instrument of writing reciting reciting the said sale of the said tract of land and the purchase of the same by the said Sargener at the price aforesaid and reciting furthermore that he had on the ^{said} 18 day of April 1870 being the same day of the said said aforesaid transferred his bid for said tract of land to William Turner, and authorizing empowering the undersigned Charles R. Vance Assignee of the said Elijah Pennington Bankrupt aforesaid to regard and hold the said Wm Turner as the purchaser of said land instead of the said A. R. Sargener, and to receive the money and bonds on said bid from the said William Turner instead of from the said A. R. Sargener, and further directing the undersigned Assignee ^{of} aforesaid to execute to the said William Turner, or to his assigns, a deed for said land as soon as the purchase money therefor should be fully paid, which said instrument of

of writing is dated the said 18th day of April 1870. and signed by the said A. R. Surgenor with his seal and witnessed by Daniel S. Dickman and Stephen S. Surgenor whereupon the said Wm. Turner pursuant to said sale and the provisions of said instrument of writing paid to the said Charles R. Vance Assignee of aforesaid in hand the sum of eleven hundred and forty two dollars and fifty cents and executed his two bonds, bearing date the said 18th day of April 1870, with A. R. Surgenor as security for eleven hundred and forty two dollars and fifty cents each, one payable twelve months from date, and the other two years from date with interest and whereas also the said William Turner has fully paid the amount of said two notes above mentioned with the interest thereon, and desires a deed for said tract of land & to therefore P. The said Charles R. Vance Assignee of the said, Elijah Pennington Bankrupt aforesaid in consideration of the premises, and by virtue of the authority in me vested by the provisions to said Bankrupt law, do by these presents transfer and convey unto the said William Turner and to his heirs in fee simple, all the right title, claim and interest in and to the tract of land abovementioned and described that may be vested in me as assignee

of Elijah Pennington Bankrupt aforesaid
in as full and complete a manner as I as
such Assignee have the right to convey the
same but no further, in testimony whereof
I as such assignee aforesaid, have hereunto
set my hand and affixed my seal the 1st
day of April 1872.

Chas R. Vance Assignee
of Elijah Pennington Bankrupt. ~~Seal~~

County of Washington to wit:

I, Philip Pugh a Notary Public for the County
aforesaid in the State of Virginia, do certify that
Chas R. Vance Assignee of Elijah Pennington
Bankrupt, whose name is signed to the writing
above bearing date 13th day of April 1872, has
acknowledged the same before me in my county
aforesaid Given under my hand this the 16th
day of May 1872.

Philip Pugh N.P.

Lee County Court clerk's office August 17th 1872.

The foregoing deed made from Chas R. Vance
Assignee of Elijah Pennington Bankrupt of the
District of Virginia of the first part to William
Turner of the second part is admitted to record;
upon the certificate of Philip Pugh a Notary
in and for the County of Washington and State of Va.

James W. Orr clerk

Scopy List John R. Gibson clerk.

Wm. Linn
Copy of Bankrupt
From Deed

Chas R. Vance Assine

Deed Book 16

P. 5-71.

"A"

See for this copy p. 25

This deed made this March 8th 1882. by & between
George Brider & Susan his wife of the first part
& Ephram Turner of the 2nd part, all of the
County of Lee & State of Virginia Witnesseth
that the aforesaid, George Brider & Susan
his wife of the first part, doth grant bargain
sell & convey all their undivided interest
in the farm owned by Wm Turner Jr deceased
in the County of Lee & State of Virginia,
being the land that George Brider wife
heired from her fathers estate she being
formerly Susan Turner for the Sum of \$2000
to them in hand paid the receipt is hereby
acknowledged being on the South side
of Stone Mountain & on the east side of
North being the land formerly owned
by Elijah Pennington to have & to hold
the same with all its appertence forever
& the aforesaid George Brider & Susan Brider
his wife binds themselves to warrant this
lands against the claims of all others in
Witness whereoff we have subscribed our
names & affixed our seals day above
written.

George Brider Seal
Susan ^{her} Brider Seal
notary

Lee County to wit:

This day George Brider & Susan Brider
his wife personally appeared before me

V. H. Kelly commissioner in chancery of
Lee County & acknowledged this writing
to be the act & Susan Brider wife of
George Brider being by me ~~privily~~ exam-
ined ~~privily~~ & apart from her husband
& having the writing fully explained
to her said she had willingly executed
the same & does not wish to retract it,
Given under my hand & seal this March
the 8th 1882.

V. H. Kelly Comr.

In chan. of Lee Co.

Virginia Lee County Court Clerk's office the 2nd
day of Oct 1884. The foregoing deed bearing
date March 8th 1882. between George
Brider and Susan his wife of the one
part and Ephraim Turner of the other
part all of Lee County Virginia was
this day filed in this office and ad-
mitted to record upon the certificate
of V. H. Kelly a commissioner in chan-
cery for Lee County Court, Virginia.

Teste John R. Gibson Clerk
& Acops

Teste John R. Gibson atty

"2"

W. Turner
True Copy of Deed
George Brider wife
Deed Book 21 p. 20.

for copy 50¢

This indenture made this the 17th day
of ~~June~~^{May} 1886, between E. M. Pennington
Com^{rs}. and Ephraim Turner: Wit-
nesseth, at the March term of the
circuit court for Lu^{is} County, 1886,
it was ordered by said court, in a
certain cause then pending in said
court on the chancery side thereof,
between C. B. Turner and Ephraim
Complainants and W^m. Turner and
others defendants, that the said E. M.
Pennington, who was appointed a
commissioner for the purpose,
should make the proper deeds for
the said infants in said cause nam-
ed; thereupon the said E. M. Penning-
ton for said infants doth grant,
bargain and sell, and convey unto
the said Ephraim Turner with cov-
enants of special warranty the
tracts and parcels of land assigned
to the said Ephraim Turner and
set out by metes and bounds in
the report of the commissioners said
cause, to have and to hold unto
the said Ephraim Turner and
his heirs forever. Witness the hand
and seal of the signature below

affixed, the day and year first above
written

E. W. Pennington (Seal)

Virginia, Lee County, to-wit:

I John R. Gibson cl. of Lee County, do hereby certify that E. W. Pennington whose name is signed to the writing above, bearing date on the ^{17th} first day of ^{May} ~~June~~ 1886 has acknowledged this same before me in my county and State aforesaid. Given under my hand this 17th day of May 1886

John R. Gibson clerk

Virginia, Lee County, to-wit:

In the Clerk's Office of Lee County, on this the 30th day of January, 1907. This deed was presented, and together with the certificate annexed, admitted to record.

Teste: H. C. T. Ewing, Clerk.

James Pennington
James E. Ewing
E. W. Pennington
Clerk

Recorded in Deed
Book 45 Page 2797
Examined Jan. 30, 1907
Indorsed

Fee for making
this deed \$1.00

This indenture made and entered into, this the 17th day of ^{May} ~~June~~ 1880,
between E. W. Punnington Com^{rs} and C.
B. Turner: Witnesses, at the March
Term of the Circuit Court for Lin
County, 1880, it was ordered by said
court, in a certain cause then pending
in said court on the chancery side
thereof, between C. B. Turner and Ephraim
Turner Complainants and Wm. Turner
Defendants, that the said E. W. Punnington,
who was appointed a commissioner for
the purpose, should make the prop-
er deeds for the infants in said cause
named; whereupon the said ~~said~~ E.
W. Punnington for said infants doth
grant bargain and sell, and con-
vey unto the said C. B. Turner with
covenants of special warranty the
tracts of parcels of land assigned
to the said C. B. Turner and set out
by metes and bounds in the report
of the commissioner said cause to
have and to hold unto the said
C. B. Turner and his heirs forever.
Witness the hand and seal of the signa-
ture below affixed, the day and year first
above written

E. W. Punnington (Seal)

Virginia Lee county to wit:

I John R. Gibson clerk of ~~the~~ Co. Court in and for
the County of Lee in the state of
Virginia do certify that V. M. Punning-
ton whose name is signed to the writ-
ing above, bearing date ~~at~~ on the
17th day of ~~June~~ ^{May} 1886 has acknowl-
edged the same before me in
my county and state aforesaid.
Given under my hand this
17th day of May 1886
John R. Gibson Clerk

C. B. Barnes

Adams Seed

V. M. Punnington
Corn

Fee for making
this and \$1.00

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

C. B. Lerner
Emily Lerner, Liza Lerner
Lavina Lerner and Mary
J. Lerner

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
in *October* next, being rule day to answer a bill in Chancery exhibited in our said Court
against

them by *Edmund Lerner*
James Ely & Minerva Ely who
are by their Guardian
George Ely

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *27th* day of *Sept.* 18*87*, in the 11th year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

(216)

Ephraim Turner et al

vs Spain et al

C. B. Turner et al

To October Rules 1887

Executed by delivery
my own office copy of
this summons to

C. B. Turner
Emily Turner
Liza Turner
Savina Turner

Mary J. Turner

Sept 28 1887

R. D. Delaney SS for

S. H. Ewing SS & Co

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

WE COMMAND YOU to summon *William Turner Jr. Levi Napier*
and Elizabeth his wife, Minerva Turner, Emily
Turner, Lavina Turner, Eliza Turner
and Elizabeth Turner.

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in

July next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against
them, by *Chadwell B. Turner & Mary J. Turner*
his wife and Ephraim Turner

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House,
this *30th* day of *June*, 188*5*, in the 10*9* year of the Commonwealth.

J. A. G. Hyatt, Clerk.

A Copy---Teste:

LD

Chadwell B. Turner et al

vs } Spa in Chicgo

William Turner Jr.

To July Rules 1885

Executed by delivering
office copies of this
Spa to Mr Turner
Levi Napier & Elizabeth
Turner. July 3rd 1886.
R. D. Kelnam, S. G. B.